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**From:** Esher, Diana [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=44BD082A59CD44FFA0D5B1C054A3E996-DESHER]  
**Sent:** 11/2/2020 3:51:48 PM  
**To:** Lemoine, Mindy [Lemoine.Mindy@epa.gov]  
**Subject:** RE: Request for Administrative Leave Mindy Lemoine.

That's the perfect sentiment for election day!

Diana Esher  
Deputy Regional Administrator  
US EPA Region 3  
215-814-2706  
esher.diana@epa.gov

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**From:** Lemoine, Mindy <Lemoine.Mindy@epa.gov>  
**Sent:** Monday, November 02, 2020 10:50 AM  
**To:** Esher, Diana <Esher.Diana@epa.gov>; Daw, Harry <daw.harry@epa.gov>  
**Subject:** RE: Request for Administrative Leave Mindy Lemoine.

Hi Diana,  
Thanks for approving.

May it be a peaceful day!

Mindy  
215-814-2736

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**From:** Esher, Diana <Esher.Diana@epa.gov>  
**Sent:** Monday, November 02, 2020 10:48  
**To:** Lemoine, Mindy <Lemoine.Mindy@epa.gov>; Daw, Harry <daw.harry@epa.gov>  
**Subject:** FW: Request for Administrative Leave Mindy Lemoine.

Harry and Mindy,

In response to the request for administrative leave to work as a non-partisan volunteer at the polls tomorrow, I grant my approval.

As noted below, Mindy must decline the stipend as a volunteer.

Thank you for providing a thorough explanation of the volunteer position and working with ORC to assure that no ethics or Hatch Act conflicts exist.

Diana

Diana Esher  
Deputy Regional Administrator  
US EPA Region 3  
215-814-2706  
[esher.diana@epa.gov](mailto:esher.diana@epa.gov)

**From:** Rodrigues, Cecil <[rodrigues.cecil@epa.gov](mailto:rodrigues.cecil@epa.gov)>  
**Sent:** Thursday, October 29, 2020 2:25 PM  
**To:** Esher, Diana <[Esher.Diana@epa.gov](mailto:Esher.Diana@epa.gov)>; Daw, Harry <[daw.harry@epa.gov](mailto:daw.harry@epa.gov)>  
**Cc:** Smith, William (Region 3) <[smith.william@epa.gov](mailto:smith.william@epa.gov)>; Gardner, Allison <[Gardner.Allison@epa.gov](mailto:Gardner.Allison@epa.gov)>  
**Subject:** Request for Administrative Leave Mindy Lemoine.

Diana-

Mindy Lemoine of LCRD's RCRA Programs Branch has requested 8 hours of administrative leave (**VOLRT** - Administrative Leave – Volunteer Activities) on November 3 to serve as a poll clerk for the Montgomery County Board of Elections. Mindy has confirmed that she will decline a stipend for this work.

**Ex. 5 AC/DP**

Thanks. Cecil.

**From:** Lemoine, Mindy <[Lemoine.Mindy@epa.gov](mailto:Lemoine.Mindy@epa.gov)>  
**Sent:** Wednesday, October 28, 2020 3:37 PM  
**To:** Smith, William (Region 3) <[smith.william@epa.gov](mailto:smith.william@epa.gov)>  
**Cc:** Daw, Harry <[daw.harry@epa.gov](mailto:daw.harry@epa.gov)>  
**Subject:** Requesting administrative leave to work at polls.

Hi Bill,  
Here are my responses.

**Ex. 5 AC/DP**

## Ex. 5 AC/DP

Thanks,  
Mindy  
215-814-2736

William C. Smith  
Senior Assistant Regional Counsel  
Water & General Law Branch  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region III  
[smith.william@epa.gov](mailto:smith.william@epa.gov)  
Mailcode 3RC60  
215-814-2690

**From:** Smith, William (Region 3)  
**Sent:** Wednesday, October 28, 2020 2:30 PM  
**To:** Lemoine, Mindy <[Lemoine.Mindy@epa.gov](mailto:Lemoine.Mindy@epa.gov)>; Daw, Harry <[daw.harry@epa.gov](mailto:daw.harry@epa.gov)>  
**Subject:** RE: Requesting administrative leave to work at polls.

Hi. May I call Mindy sometime today after 3 pm or tomorrow? We have had a few requests for administrative leave for poll work, and have developed a short list of questions on potential ethics/Hatch Act issues.

William C. Smith  
Senior Assistant Regional Counsel  
Water & General Law Branch  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region III  
[smith.william@epa.gov](mailto:smith.william@epa.gov)  
Mailcode 3RC60  
215-814-2690

**From:** Lemoine, Mindy <[Lemoine.Mindy@epa.gov](mailto:Lemoine.Mindy@epa.gov)>  
**Sent:** Wednesday, October 28, 2020 1:38 PM  
**To:** Daw, Harry <[daw.harry@epa.gov](mailto:daw.harry@epa.gov)>  
**Cc:** Smith, William (Region 3) <[smith.william@epa.gov](mailto:smith.william@epa.gov)>  
**Subject:** Requesting administrative leave to work at polls.

Hi Harry,  
I'm writing to request eight hours of administrative leave to serve as a poll worker for the 2020 General Election on November 3. I'll be serving as a poll clerk in Montgomery County, Cheltenham precinct 1-2. This is a non-partisan volunteer position, although it does pay a stipend, which I will decline if this leave is approved. See email below and attached letter from the County Board of Elections requesting my service and thanking me for serving as a poll worker in the May primary. I don't have a final letter appointing me, just the email.

Let me know if you have any questions.

Mindy  
215-814-2736

## Non-Partisan Volunteer

An employee who requests time off to train and serve as a non-partisan volunteer election official to assist at polling stations may be granted excused absence to the maximum extent possible while accounting for the responsibilities and duties to carry out the agency's mission. The agency will try to accommodate the excused absence request so long as there are no negative impacts to critical mission work. Decisions about granting excused absence for this purpose are to be made on a case-by-case basis and require the employee's assistant administrator or regional administrator's approval after the local deputy ethics official or the Office of General Counsel's Ethics Office has determined the volunteer activity comports with ethics requirements. Approved administrative leave for participation in volunteer activities should not involve an employee being absent from the workplace for a significant period.

Any employee needing an excused absence to vote or volunteer should first seek approval from their first-line supervisor. If approved, the time must be documented in PeoplePlus using the following time reporting codes:

- **VOLRT** (Administrative Leave – Volunteer Activities)

-----Original Message-----

From: Costello, Brenna <BCostello@montcopa.org>

To: 'Mindy Lemoine' [Nonresponsive Personal Email (Mindy Lemoine) / Ex. 6]

Cc: [Nonresponsive Personal names & emails / Ex. 6]

Sent: Mon, Aug 10, 2020 10:07 am

Subject: RE: 2020 General Election: Poll Worker Confirmation Request

Great, thank you. I have marked you as confirmed for the upcoming election. That's great you have other people willing to work. I have copied the Judge so they can help us understand if they are needed at the same polling location. Thank you.

Please do not respond to this email unless you have a question or an update. Thank you.

Regards,

**Brenna Costello**  
Poll Worker Coordinator  
Montgomery County, PA  
Board of Elections  
P.O. Box 311  
Norristown P.A. 19404

Ph: (610)278-3278  
Fx: (610)292-4527  
[BCostello@montcopa.org](mailto:BCostello@montcopa.org)  
[www.montcopa.org/voterservices](http://www.montcopa.org/voterservices)

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**From:** Mindy Lemoine [Nonresponsive Personal email (Mindy Lemoine) / Ex. 6]

**Sent:** Wednesday, August 5, 2020 2:47 PM

**To:** Costello, Brenna <BCostello@montcopa.org>

**Cc:** [Nonresponsive Personal name & email / Ex. 6]

**Subject:** Re: 2020 General Election: Poll Worker Confirmation Request

Hello Brenna,  
Yes, I am willing to work at the polls again on Nov 3.

My husband, [Personal name / Ex. 6] has also volunteered. [Personal Matters and Personal Address/ Ex. 6]

[Personal Matters and Personal address / Ex. 6]

Would you like me to identify others who are willing to work at the poll? [Personal Matters/ Ex. 6]

[Personal Matters/ Ex. 6]

Best,  
Mindy Lemoine

[Personal Phone / Ex. 6]

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**From:** Costello, Brenna <BCostello@montcopa.org>

**Sent:** Wednesday, August 5, 2020 2:20 PM

**To:** [Nonresponsive Personal email [Mindy Lemoine] / Ex. 6]

**Subject:** 2020 General Election: Poll Worker Confirmation Request

Cheltenham 1-2

Dear Clerk Mindy Lemoine,

Thank you so very much for being a poll worker for the June Primary Election. It certainly was a challenging Election and we could not have done it without you.

We learned a lot following the General Election and we have listened to your feedback. As a result, we are doing things a little differently for the General Election.

We are reaching out to all poll workers who worked the Primary Election to ask you now if you are working for the upcoming General Election on Tuesday, November 3rd. **Please respond by August 24th** if you are working the General Election on Tuesday, November 3rd so we can start filling any vacancies in a polling location now.

Knowing this information now will help us fully staff the polling locations and fill any vacancies with plenty of time for all poll workers to be properly trained before the November General Election. Our goal is to have **ALL** precincts fully staffed for November.

Our intention is for each poll worker to work at their original voting location before the polls were consolidated for the Primary. If you were a first time poll worker for the Primary that worked elsewhere in the County, we hope you can work in your precinct. There may be some consolidation of polls for November as it is in the best interest of the senior centers, residents and voters to relocate any polling location that was located in a senior center. Therefore, if your precinct is located at a senior center, please note your location will likely change. We have reached out to all polling locations and will notify you as soon as any change is formalized.

Your health and safety is of the utmost importance. We are already taking steps to safeguard our poll workers, polling locations and voters. We have started ordering PPE supplies for the Judge's boxes again to include hand sanitizers, disposal gloves, masks, face shields and disinfecting wipes.

As was the case in the Primary, we will not have in-person training due to the Covid pandemic, but we have started working on enhancing and adding additional training videos based on your feedback from the Primary. The trainings will be geared to specific topics a poll worker needs to know on Election Day. We will also be updating and enhancing our training manuals especially with any Election Code changes.

We anticipate the Election Board approving increased pay for poll workers for the November Election of \$300 for Judges and \$225 for all other poll workers—which is the same as the Primary. We will confirm when the Election Board votes to formally approve the increase.

We know this Election will be a rapidly evolving situation and we want to keep our poll workers informed so we plan on sending bi-weekly updates to all poll workers.

**Please respond by August 24th if you are working the General Election on Tuesday, November 3rd** so we can start filling any vacancies in a polling location now.

Thank you again for everything and we look forward to hearing from you.

